

REMARKS

Claims 1-5, 7-12 and 14 are pending in this application. By this Supplemental Amendment, claims 6 and 13 are cancelled without prejudice to or disclaimer of the subject matter contained therein, and claims 1, 5, 7, 12 and 14 are amended. Claim 1 is amended to correct informalities with no effect on patentability. Claims 7 and 14 are amended to correct claim dependency. Claims 5 and 12 are amended to incorporate features recited in claims 6 and 13, respectively. No new matter is added by any of these amendments.

Applicant appreciates the courtesies extended to Applicant's representative by Examiner Nguyen during the November 23, 2004 personal interview. In accordance with MPEP §713.04, the points discussed during the interview are incorporated in the remarks below and constitute Applicant's record of the interview.

Reconsideration based on the following remarks is respectfully requested.

I. Amendment Entry After Interview

Entry of this amendment is proper under 37 CFR §1.111 because this Supplemental Amendment addresses issues discussed during the interview.

II. The Claims Satisfy All Formal Requirements

The Office Action objects to claims 1-14 based on informalities. Claims 1-14 were amended in the October 25, 2004 Amendment. Claim 1 has been further amended in accordance with discussions during the interview. Withdrawal of the objection is respectfully requested.

III. Claims 1-5, 7-12 and 14 Define Patentable Subject Matter

The Office Action rejects claims 1-4 and 8-11 under 35 U.S.C. §103(a) over Japanese Patent Application JP 2000-162959 to Moriya (identified in the Office Action as "Koji"). This rejection is respectfully traversed.

As discussed during the interview, Moriya does not teach or suggest an information supply system including information generation means which generates information used to perform a multi-player game, wherein variations in a story are based on a selection input by a player, supply means which supplies the generated information to the terminal device, and acquisition means which acquires the selection input by the player through the terminal device, wherein the multi-player game is an individual selection input type of game wherein different responses are output in correspondence to selection inputs, wherein the information generation means generates first game information allowing a first selection input by a first player when a first event requiring the first selection input by the first player occurs in the game, the first game information based on a first selection authority flag indicating that the first player has selection authority, first response information corresponding to the first selection input by the first player acquired by the acquisition means based on a first response completed flag indicating that the first selection input is completed, second game information allowing a second selection input by a second player when a second event requiring the second selection input by the second player occurs in the game, the second game information based on a second selection authority flag indicating that the second player has selection authority, and second response information corresponding to the second selection input by the second player acquired by the acquisition means based on a second response completed flag indicating that the second selection input is completed, and wherein the supply means supplies the first game information to a first terminal device operated by the first player, the second game information to a second terminal device operated by the second player, and the first and second response information to the first and second terminal devices of the first and second players, respectively, as recited in claim 1, and similarly recited for a program in claim 8.

Instead, Moriya discloses a simulation server 37. In particular, Moriya teaches a database function manager 100 providing scenario data passed through an optimization unit 101 and a selection function manager 102. Moriya further teaches scenario changes based on inputs from two or more client terminals at data input units 103 provided through a network 109, or from an e-mail table 108 (paragraphs [0020] – [0025] and drawing 7 of Moriya). Thus, Moriya lacks any teaching or suggestion for flags denoting whether players have selection authority and whether an input response is completed, as provided for in Applicant's claimed features.

Further, there is no motivation to modify features related to the simulation device of Moriya to achieve Applicant's claimed features, particularly regarding the responses to authority selection and response completed flags, nor has the Office Action established sufficient motivation for a *prima facie* case of obviousness. Even assuming that motivation to modify the applied reference is established, the modification fails to teach or suggest Applicant's claimed features.

The Office Action further rejects claims 5-7 and 12-14 under 35 U.S.C. §103(a) over Moriya in view of Japanese Patent Application JP 2000-022827 to Kimura (identified in the Office Action as "Keisuke"). This rejection is rendered moot with respect to claims 6 and 13, and is respectfully traversed with respect to the remaining claims.

Moriya and Kimura fail to teach or suggest an information supply system to supply information used to perform a multi-player game terminal device based on a selection input by a player, including information generation means which generates information used to perform the multi-player game at a predetermined terminal device based on a selection input by a player, supply means which supplies the generated information to the terminal device, acquisition means which acquires the selection input by the player through the terminal device, and determination means which automatically determines a content of the selection

input by at least one of the first and second players, when the acquisition means has not acquired any selection input information from at least one of the first and second players within a predetermined time, wherein the multi-player game is a concurrent selection input type of game wherein different responses are output in correspondence to selection inputs, the information generation means generates game information allowing the selection inputs by first and second players when a predetermined event requiring the selection input occurs in the game, and response information corresponding to the selection inputs by the first and second players acquired by the acquisition means, and wherein the supply means supplies the game information and the response information to first and second terminal devices operated by the first and second players, respectively, wherein the information generating means uses the selection input having the content determined by the determination means to generate information used to perform the multi-player game, as recited in claim 5, and similarly recited for a program in claim 12.

Kimura does not compensate for the deficiencies of Moriya outlined above for claims 1-4 and 8-11. Nor does Kimura teach, disclose or suggest the additional features recited in claims 5, 7, 12 and 14, particularly with respect to simultaneity of first and second player inputs. Instead, Kimura discloses a communication system includes judgment. In particular, Kimura teaches a mutual communication to play “janken” (paper, scissors, rock) between migration (mobile) machines 2A, 2B, etc. in a network 1. Also Kimura teaches a judgment center 4 to assess victory or defeat based on a lottery table in section 43 (paragraphs [0024] – [0026] and [0031] – [0032] of Kimura). Such teachings fail to provide for concurrent inputs, or for default inputs when the players exceed a predetermined period for responding to an event, as provided for in Applicant’s claimed features.

Further, there is no motivation to combine features related to the simulation device of Moriya with the lottery table of Kimura, nor has the Office Action established sufficient

motivation for a *prima facie* case of obviousness. Even assuming that motivation to combine the applied references is established, the combination fails to teach or suggest Applicant's claimed features.

A *prima facie* case of obviousness for a §103 rejection requires satisfaction of three basic criteria: there must be some suggestion or motivation either in the references or knowledge generally available to modify the references or combine reference teachings, a reasonable expectation of success, and the references must teach or suggest all the claim limitations (MPEP §706.02(j)). Applicant asserts that the Office Action fails to satisfy these requirements with Moriya and Kimura.

For at least these reasons, Applicant respectfully asserts that the independent claims are now patentable over the applied references. The dependent claims are likewise patentable over the applied references for at least the reasons discussed as well as for the additional features they recite. Consequently, all the claims are in condition for allowance. Thus, Applicant respectfully requests that the rejections under 35 U.S.C. §103 be withdrawn.

IV. Conclusion

In view of the foregoing amendments and remarks, Applicant respectfully submits that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Gerhard W. Thielman
Registration No. 43,186

JAO:GWT/gwt

Date: December 13, 2004

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
--